



**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR**

In the Matter of:)
)
Taotao USA, Inc.,) **Docket No. CAA-HQ-2015-8065**
Taotao Group Co., Ltd., and)
Jinyun County Xiangyuan Industry)
Co., Ltd.)
)
Respondents.)

**ORDER GRANTING COMPLAINANT’S MOTION FOR
ADDITIONAL DISCOVERY THROUGH REQUESTS FOR ADMISSIONS**

On June 23, 2017, the Agency filed a Motion for Additional Discovery through Requests for Admissions (“Motion”). The Motion seeks an order directing the Respondents to respond to the Requests for Admissions accompanying the Motion as “Attachment A” thereto. The Agency asserts that the Requests are necessary because the parties were unable to come to an agreement on a set of stipulations and because the time allotted for hearing is limited. The Requests are directed to obtaining Respondents’ admission as to the “truth, accuracy and completeness” of certain documents, and other facts “that do not appear in genuine dispute,” the Agency asserts. Mot. at 2. As authority for allowing the additional discovery, the Motion cites 40 C.F.R. § 22.19(e)(1). Mot. at 1.

The Motion indicates that the Respondent opposes the relief sought therein. Mot. at 1. However, to date, the Respondents have not filed an opposition indicating the basis for their opposition and the time for doing so has expired. 40 C.F.R. § 22.16(b) (“A party’s response to any written motion must be filed within 15 days after service of such motion.”). As such, Respondents’ have waived their objection. *Id.*

In addition to finding that Respondents have waived any objections to the Motion, I find that these requests will neither unreasonably delay the proceeding nor unreasonably burn Respondents; the information sought is most reasonably obtained from Respondents; and the information has significant probative value relative to the relief sought by Complainant. 40 C.F.R. § 22.19(e)(1).

Thus, for all of the reasons outlined therein and above, Complainant’s Motion for Additional Discovery through Requests for Admissions is **GRANTED**. Respondents shall file and serve their responses to the Requests for Admissions, identified as “Attachment A to the Motion, within **ten (10) days** of the date of this Order.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Biro', is written above a horizontal line.

Susan L. Biro
Chief Administrative Law Judge

Dated: August 17, 2017
Washington, D.C.

In the Matter of *Taotao USA, Inc., Taotao Group Co., Ltd., and Jinyun County Xiangyuan Industry Co., Ltd.*, Respondents. Docket No. CAA-HQ-2015-8065

CERTIFICATE OF SERVICE

I certify that copies of the foregoing Order Granting Complainant's Motion for Additional Discovery through Requests for Admissions, dated August 17, 2017, were sent this day to the following parties in the manner indicated below.



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Dated: August 17, 2017
Washington, D.C.